

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

CASHMAN EQUIPMENT CORP.

Plaintiff

v.

Civil Action No.:
1:21-CV-10862-RGS

EMCS CARIBBEAN LTD, ET AL.

Defendant

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

EMCS CARIBBEAN, LTD.
TORTOLA, BRITISH VIRGIN ISLANDS

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Stephen W. Rider, Esq.
350 Lincoln Street - Suite 2400
Hingham, Massachusetts 02043 USA

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT M. FARRELL

CLERK OF COURT

/s/ – Casey Baker

Signature of Clerk or Deputy Clerk



ISSUED ON 2021-05-25 09:04:03, Clerk USDC DMA

Civil Action No.: **1:21-CV-10862-RGS**

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) _____
was received by me on (date)_____.

- ☐ I personally served the summons on the individual at (place)_____
_____ on (date)_____ ; or
- ☐ I left the summons at the individual's residence or usual place of abode with (name)_____
_____, a person of suitable age and discretion who resides there,
on (date) _____ , and mailed a copy to the individual's last known address; or
- ☐ I served the summons on (name of individual)_____, who is
designated by law to accept service of process on behalf of (name of organization)_____
_____ on (date) _____ ; or
- ☐ I returned the summons unexecuted because_____ ; or
- ☐ Other (specify) :

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date

Server's Signature

Printed name and title

Server's Address

Additional information regarding attempted service, etc:

**UNITED STATES DISTRICT CIRCUIT
FOR THE DISTRICT OF MASSACHUSETTS**

CASHMAN EQUIPMENT CORP.)	
)	
Plaintiff)	
)	
v.)	Civil Action No.: Case 1:21-cv-10862
)	
EMC ^s CARIBBEAN LTD., CRAIG)	
NOBLETT, NERVIN WHEATLEY, and)	
ASHBURN HARRIGAN,)	
)	
)	
Defendants)	
)	
)	

AFFIDAVIT OF SERVICE UPON DEFENDANT EMCs CARIBBEAN LTD.

Comes now Stanton Grazette, who, upon oath, states the following:

1. I am over the age of eighteen and authorized to serve process in the British Virgin Islands.
2. In the matters detailed herein, I was acting as agent for Dan Wise, Esq., a solicitor admitted to practice in the British Virgin Islands and thus a competent person within the meaning of Article 10(b) of the 1965 Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the Hague Service Convention).
3. Mr. Wise was in turn acting at the request of Aaron Lukken, Esq. of Kansas City, Missouri, himself instructed by plaintiff's counsel, Scott Brownell, Esq.
4. On Friday, August 23, 2021, I was instructed by Mr. Wise, through his office, to serve upon the first defendant, EMC^s CARIBBEAN LTD., the following documents:

- Hague Service Convention Warning
- Hague Service Convention Summary of the Document to Be Served
- Summons in a Civil Action, issued May 25, 2021
- Complaint (With Jury Demand), filed May 24, 2021

5. According to plaintiff's counsel, the defendant's address is in care of its registered agent, SHRM TRUSTEES (BVI) LIMITED, Trinity Chambers, P.O. Box 4301 Road Town, Road Town, Tortola VG1110, British Virgin Islands. A copy of the defendant's registry report is attached hereto as Exhibit A.

6. At approximately 4:17 pm on Friday, August 23, 2021, I attended the reported address with the intention of completing service upon EMC^S CARIBBEAN LTD.

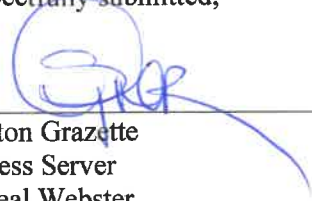
7. Upon my arrival, I spoke with a woman who identified herself as Aliza Tyson, Corporate & Fiduciary Manager of SHRM TRUSTEES (BVI) LIMITED. Ms. Tyson is described as a lady of black ethnicity, approximately 5' 7" and of medium build.

8. I handed Ms. Tyson the above-listed documents, which she accepted. She signed a receipt for service, attached hereto as Exhibit B.

9. I believe service in this matter to have been effected according to the laws of the British Virgin Islands, and thus in accordance with Article 10(b) of the Hague Service Convention.

I swear that the foregoing statements are true to the best of my knowledge.

Respectfully submitted,


Stanton Grazette
Process Server
O'Neal Webster
181 Main Street
Road Town, VG1110, BVI

Subscribed and sworn before me on August 30, 2021
at Road Town, Tortola, British Virgin Islands



Christopher Simpson
Notary Public
My commission expires January 31, 2022



EXHIBIT A



BVI Financial Services Commission, Registry of Corporate Affairs Register of Companies Search Report

Date of Search : 20/08/2021

This search is accurate as at the Search Date above.

Company Name : EMCS Caribbean Ltd

Company Number : 1551771

Company Type : BC New Incorporation

Date of Incorporation / Registration : 13/10/2009

Current Status :

Status Description: Active

Status Date: 13/10/2009

Current Registered Agent: SHRM TRUSTEES (BVI) LIMITED

Trinity Chambers

P.O. Box 4301

Current Registered Agent Address:

Road Town

Tortola

VIRGIN ISLANDS, BRITISH

Current Registered Agent Phone Number:

284-494-8445

Current Registered Agent Fax Number:

284-494-8729

Current Registered Office :

Trinity Chambers

P.O. Box 4301

Road Town

Tortola

VIRGIN ISLANDS, BRITISH

Telephone:

Agent Fax:

Director Register Type : Private

Share/Capital Information:

Maximum Number of Shares the company is authorized to issue: 50,000

Ability to Issue Bearer Shares: No

Previous Names History

S.No	Previous Name	Foreign Character Name	Date Range or Cease Date	
			From	To
1	EMCS Caribbean Ltd		13/10/2009	

Transaction History

S.No	Date	Transaction Number	Description	Status	Eforms/Attachments
1	02/10/2009	T090548867	Name Reservation (10 days)	Approved	Name Reservation (10 days)
2	13/10/2009	T090565324	Application for Incorporation (BC)	Approved	Application for Incorporation (BC) Memorandum and Articles of the Company
3	26/11/2010	T100811302	Annual Fee Submission (BC)	Approved	Annual Submission
4	15/06/2011	T110454488	Request for Certificate of	Approved	Request for Certificate of Good

		Goodstanding		Standing
5	23/11/2011 T110814592	Annual Fee Submission (BC)	Approved	Annual Submission
6	03/04/2012 T120161307	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
7	16/11/2012 T120789073	Annual Fee Submission (BC)	Approved	Annual Submission
8	11/09/2013 T130607430	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
9	06/11/2013 T130727607	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
10	14/11/2013 T130768802	Annual Fee Submission (BC)	Approved	Annual Submission
11	09/04/2014 T140182471	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
12	09/09/2014 T140615280	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
13	19/11/2014 T140803518	Annual Fee Submission (BC)	Approved	Annual Submission
14	08/06/2015 T150457424	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
15	17/09/2015 T150640845	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
16	30/09/2015 T150662692	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
17	16/11/2015 T150792792	Annual Fee Submission (BC)	Approved	Annual Submission
18	25/08/2016 T160586966	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
19	29/11/2016 T161105428	Annual Fee Submission (BC)	Approved	Annual Submission
20	27/03/2017 T170473807	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
21	28/03/2017 T170486670	Register of Members or Directors	Approved	Register of Directors
22	17/11/2017 T171250891	Annual Fee Submission (BC)	Approved	Annual Submission
23	14/05/2018 T180353299	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
24	15/11/2018 T180908076	Annual Fee Submission (BC)	Approved	Annual Submission
25	02/07/2019 T190487044	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
26	19/07/2019 T190521821	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
27	27/11/2019 T190849780	Annual Fee Submission (BC)	Approved	Annual Submission
28	01/09/2020 T200532164	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing
29	13/11/2020 T200711829	Annual Fee Submission (BC)	Approved	Annual Submission
30	22/12/2020 T200844072	Request for Certificate of Goodstanding	Approved	Request for Certificate of Good Standing

Certificate History

S.No	Transaction No.	Type of Certificate	Date of Filing
1	T090565324	Certificate of Incorporation (Original)	13/10/2009
2	T110454488	Certificate of Good Standing	15/06/2011
3	T120161307	Certificate of Good Standing	03/04/2012
4	T130607430	Certificate of Good Standing	11/09/2013
5	T130727607	Certificate of Good Standing	06/11/2013
6	T140182471	Certificate of Good Standing	09/04/2014
7	T140615280	Certificate of Good Standing	09/09/2014
8	T150457424	Certificate of Good Standing	08/06/2015
9	T150640845	Certificate of Good Standing	17/09/2015
10	T150662692	Certificate of Good Standing	30/09/2015
11	T160586966	Certificate of Good Standing	25/08/2016
12	T170473807	Certificate of Good Standing	27/03/2017
13	T180353299	Certificate of Good Standing	14/05/2018
14	T190487044	Certificate of Good Standing	02/07/2019

15	T190521821	Certificate of Good Standing	19/07/2019
16	T200532164	Certificate of Good Standing	01/09/2020
17	T200844072	Certificate of Good Standing	22/12/2020

DISCLAIMER:

Although care has been taken to ensure the accuracy, completeness and reliability of the information provided through the use of this service ("the Information"), neither the Registrar of Corporate Affairs ("the Registrar") nor the Financial Services Commission ("the Commission") assumes any responsibility for the accuracy, completeness and reliability of the Information. This report does not reflect any transactions that may be submitted and not yet registered, or other changes for which the Registrar has not received notice. The user of the Information agrees that the Information is subject to change without notice, and neither the Registrar nor the Commission is responsible for any discrepancies that may result if a transaction is approved for filing after the issuance of this report. Neither the Registrar nor the Commission assumes any responsibility for the consequences of use of the Information, nor for any infringement of third party intellectual property rights which may result from its use. In no event shall the Commission or the Registrar be liable for any direct, indirect, special or incidental damage resulting from, arising out of or in connection with the use of the Information.

EXHIBIT B



ACKNOWLEDGMENT OF RECEIPT

CASE NO. 1:21-cv-10862

CASHMAN EQUIPMENT CORP.

Plaintiff

against

EMCs CARIBBEAN LTD., CRAIG NOBLETT, NERVIN WHEATLEY, and ASHBURN HARRIGAN

Defendants

**DOCUMENTS:
SERVED:**

- a. **Warning Notice to EMCs Caribbean Ltd;**
- b. **Summary of the document to be served;**
- c. **Summons in a Civil Action filed May 25, 2021; and**
- d. **Complaint (With Jury Demand) filed May 24, 2021;**

SERVED ON: **EMCs CARIBBEAN LTD**

REGISTERED AGENT: SHRM TRUSTEES (BVI) LIMITED, Trinity Chambers, P.O. Box 4301 Road Town, Tortola, British Virgin Islands

REGISTERED OFFICE: Trinity Chambers, P.O. Box 4301, Road Town, Tortola, British Virgin Islands

PLACE OF SERVICE: SHRM TRUSTEES (BVI) LIMITED, Trinity Chambers, P.O. Box 4301 Road Town, Tortola, British Virgin Islands

SERVED BY: Stanton Grazette

DATE: August 23, 2021 **TIME:** 4:17 am/pm

RECEIVED BY: Aliza Tyson (signature)

NAME: Aliza Tyson (please print)

POSITION: Corporate & Fiduciary Manager